

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

JOHN J. SKARO	:	Case No. 13-25225 TPA
KAREN A. SKARO	:	Chapter 13
<i>Debtors</i>	:	
	:	
JOHN J. SKARO	:	
KAREN A. SKARO	:	
<i>Movants</i>	:	
	:	
v.	:	Related to Document No. 312
	:	
BRIAN W. JONES	:	
<i>Respondent</i>	:	Hearing: July 12, 2019 at 10:30 A.M.

ORDER TO SHOW CAUSE

On April 4, 2019, the Court entered its *Pretrial Scheduling Order* at Doc. No. 312 (“PTSO”) requiring the Debtors to file their Pretrial Statement on or before June 2, 2019; the Respondent to file his Pretrial Statement on or before June 17, 2019 and the Consolidated Pretrial Statement to be filed on or before July 1, 2019. Much to the disappointment of the Court, the Respondent has yet to file the required Pretrial Statement and the Debtors have yet to file the Consolidated Pretrial Statement. This is not the way the system is designed to work.

At the conclusion of discovery, the party with the burden of proof, here the Debtors, are required to summarize their claim through presentation of a narrative statement providing discrete information as to witnesses, exhibits, theory of case, and stipulations offered to streamline trial of the matter. From here, the party with only the burden of going forward can then analyze the

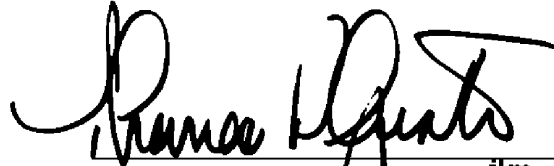
Debtors' case and determine what, if anything, it must produce in meeting its burden. Finally, the parties meet and confer to consolidate their narratives, all with an eye toward streamlining the case for purposes of the final pretrial hearing and ultimately trial of the case. When one party fails to meet its responsibilities regarding this "waterfall" of duties, the entire pretrial dynamic is frustrated and the process is stymied. Here, not only did the Respondent fail to execute his duty to the Court by missing the June 17, 2019 filing deadline for his Pretrial Narrative Statement and both Parties missing the July 1, 2019 filing deadline for their Consolidated Pretrial Statement, but the Respondent has now jeopardized the "smooth flow" of the entire pretrial process since the Defendant's failure to timely act also frustrates the ability of the Parties to timely file the Consolidated Pretrial Statement which was due on July 1, 2019.

AND NOW, this *8th* day of *July, 2019*, for the reasons stated above, the Respondent and Debtors having failed to comply with the applicable pretrial scheduling order in relevant part, i.e., failure to timely file documents, that is:

- (4) *On or before June 17, 2019*, Respondents' portion of the Pretrial Statement shall be finalized and served on all Parties with a copy filed with the Court. The Parties shall then meet and prepare a Consolidated Pretrial Statement. *On or before July 1, 2019*, Debtors shall file with the Court the completed and Consolidated Pretrial Statement signed by all Parties.

It is therefor **ORDERED, ADJUDGED and DECREED** that an *Order to Show Cause* is issued against *Brian Thompson, Esq.* and *Brian W. Jones* to *personally* appear and show cause as to why he should not be sanctioned, in the form of a monetary sanction and/or being precluded from offering testimony regarding the subject matter of the documents not filed, for

failure to comply with this Court's *Order* dated April 4, 2019. A hearing shall take place on ***July 12, 2019 at 10:30 A.M.*** in the Courtroom "C", 54th Floor, U.S. Steel Tower, Pittsburgh, Pennsylvania. In the event Counsel properly complies with the prior *Order* as indicated above, by filing the required documents on or before ***July 11, 2019***, the hearing scheduled above *may* be cancelled.


Thomas P. Agresti, Judge jlm
United States Bankruptcy Court

Case Administrator to serve:
Brian Thompson, Esq.
Brian W. Jones
Ronda J. Winnecour, Esq.
Debtors

Imaged Certificate of Notice Page 4 of 4

United States Bankruptcy Court
Western District of PennsylvaniaIn re:
John J. Skaro
Karen A. Skaro
DebtorsCase No. 13-25225-TPA
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: culy
Form ID: pdf900Page 1 of 1
Total Noticed: 2

Date Rcvd: Jul 08, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 10, 2019.

db/jdb +John J. Skaro, Karen A. Skaro, 5052 West Kristina Loop, Lecanto, FL 34461-8588
cr +Brian W. Jones, PMB 185, 4960 Wm Flynn Highway, Ste 6, Allison Park, PA 15101-2354Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jul 10, 2019

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 8, 2019 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor BAYVIEW LOAN SERVICING, LLC
andygornall@latouflawfirm.com

Andrew F Gornall on behalf of Creditor JPMORGAN CHASE BANK, NATIONAL ASSOCIATION
andygornall@latouflawfirm.com

Brett A. Solomon on behalf of Creditor PNC Bank, National Association, Successor by Merger to
National City Bank bsolomon@tuckerlaw.com,
agilbert@tuckerlaw.com;cabbott@tuckerlaw.com;dparanay@tuckerlaw.com

Brian C. Thompson on behalf of Joint Debtor Karen A. Skaro bthompson@ThompsonAttorney.com,
blemon@thompsonattorney.com;mgillespie@thompsonattorney.com;bthompson@ecf.courtdrive.com;jgorze@t
hompsonattorney.com

Brian C. Thompson on behalf of Plaintiff Karen A. Skaro bthompson@ThompsonAttorney.com,
blemon@thompsonattorney.com;mgillespie@thompsonattorney.com;bthompson@ecf.courtdrive.com;jgorze@t
hompsonattorney.com

Brian C. Thompson on behalf of Plaintiff John J. Skaro bthompson@ThompsonAttorney.com,
blemon@thompsonattorney.com;mgillespie@thompsonattorney.com;bthompson@ecf.courtdrive.com;jgorze@t
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Brian C. Thompson on behalf of Debtor John J. Skaro bthompson@ThompsonAttorney.com,
blemon@thompsonattorney.com;mgillespie@thompsonattorney.com;bthompson@ecf.courtdrive.com;jgorze@t
hompsonattorney.com

Christopher L. Borsani on behalf of Creditor PNC Bank, National Association, Successor by
Merger to National City Bank cborsani@tuckerlaw.com, clborsani82@gmail.com

Donna M. Donaher on behalf of Creditor PNC Bank, National Association, Successor by Merger to
National City Bank donaher@fnb-corp.com

James Warmbrodt on behalf of Creditor BAYVIEW LOAN SERVICING, LLC bkgroup@kmlawgroup.com

Joshua I. Goldman on behalf of Creditor BAYVIEW LOAN SERVICING, LLC bkgroup@kmlawgroup.com

Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour cmecf@chapter13trusteedpa.com

Stanley A. Kirshenbaum on behalf of Defendant Brian W. Jones SAK@SAKLAW.COM

TOTAL: 14